

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

STEPHEN K. WEINSTONE,

Plaintiff,

v.

PIERCE COUNTY PROSECUTOR,

Defendant.

CASE NO. C15-5255 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION AND
DENYING PLAINTIFF'S
MOTION TO APPOINT
COUNSEL

This matter comes before the Court on the Report and Recommendation ("R&R") of the Honorable David W. Christel, United States Magistrate Judge (Dkt. 11), and Plaintiff Stephen Weinstone's ("Weinstone") motion to appoint counsel (Dkt. 13).

On June 26, 2015, Judge Christel issued the R&R recommending that the Court dismiss Weinstone's complaint for numerous reasons including failure to state a claim. Dkt. 11. On June 30, 2015, Weinstone filed a motion to appoint counsel without providing any factual basis for the proposition that Weinstone is unable to represent himself. Dkt. 13.

Therefore, the Court having considered the R&R, Weinstone's motion, and the remaining record, does hereby find and order as follows:

- (1) Weinstone's motion to appoint counsel is **DENIED**;
- (2) The R&R is **ADOPTED**;
- (3) Weinstone's *in forma pauperis* status is **REVOKED**; and
- (4) This action is **DISMISSED**.

Dated this 17th day of August, 2015.



BENJAMIN H. SETTLE
United States District Judge